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In re Application of
NELSON
Serial No.: 08/794,374
Filing Date: December 10, 1996
Patent No.: 4,823,070
Issue Date: April 18, 1989
For: SWITCHING VOLTAGE
REGULATOR CIRCUIT

COMMUNICATION
ON REQUEST
FOR CONTINUED
SUSPENSION OF ACTION

This is a decision on the "FURTHER UPDATE ON STATUS OF CONCURRENT LITIGATION; REQUEST FOR CONTINUED SUSPENSION OF ACTION IN REISSUE APPLICATION IN VIEW OF CONCURRENT LITIGATION" filed October 6, 1999. Applicant requests that the suspension of action in the above-captioned reissue application granted April 1, 1997 (Paper No. 35) be continued.

The request for continued suspension is being **HELD IN ABEYANCE** for the reasons set forth below.

Applicant, in the current request for continued suspension, indicates that the District Court entered a judgement declaring that the "741 patent is invalid under 35 U.S.C. § 102 and that the Patent Owner has filed a notice of appeal. The Request is deficient in that it does not identify (1) that significant overlapping issues between the ongoing appeal and the Reissue Application exist and (2) what the significant overlapping issues are and how they overlap with the prosecution of the Reissue Application. As such, decision on the Request for continued suspension of action is being held in abeyance pending Patent Owner's timely filing of the deficiencies identified above.

Patent Owner is given **TWO MONTHS** from the mailing date of this communication to submit sufficient supplemental information and evidence to establish that significant overlapping issues between the ongoing appeal and the present Reissue Application. Extensions of time under 37 CFR 1.136(a) may be obtained. Failure to timely respond, may result in Patent Owner's request for continued suspension being dismissed and Reissue proceedings commenced.

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FEB 7 2000

Serial No.: 08/794,374 (Reissue)

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